

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

CAREY CLAYTON,

Plaintiff,

v.

AARON'S INC., *et al*,

Defendants.

Civil Action No. 3:13-CV-219

ORDER

THIS MATTER is before the Court on a Motion to Dismiss (ECF No. 3) filed by Defendant Aaron's Inc. ("Defendant") pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiff Carey Clayton ("Plaintiff") alleges violations of the Telephone Consumer Protection Act ("TCPA"), codified at 47 U.S. C. § 227 *et seq* (Count One). Plaintiff has voluntarily dismissed his additional claims of invasion of privacy by intrusion upon seclusion (Count Two) and intentional infliction of emotional distress (Count Three). On June 17, 2013, the Court heard oral argument on Defendant's Motion to Dismiss. For the reasons stated in the accompanying Memorandum Opinion, the Court GRANTS the Motion and DISMISSES Plaintiff's Complaint against Defendant in its entirety.

Let the Clerk send a copy of this Order to all counsel of record.

It is so ORDERED.

_____/s/_____
James R. Spencer
United States District Judge

ENTERED this 19th day of June 2013